From: (b) (6) [redacted]
To: SpaceXBocaChica
Subject: Comments on FAA Programmatic Environmental Assessment SpaceX
Date: Friday, January 22, 2021 6:55:18 PM

To whom it may concern:

As a former homeowner at Boca Chica Village, and someone who resided there until October 31, 2020, I experienced firsthand the negative impacts associated with having SpaceX locate next to Boca Chica Beach in the midst of the Lower Rio Grande Valley National Wildlife Refuge.

Given the scope and magnitude of SpaceX's current plans, and the fact that they bear little to no resemblance to what was originally proposed, it would be in the best interest of all concerned for the FAA to conduct the more thorough Environmental Impact Statement rather than merely an Environmental Assessment. An EA is insufficient. SpaceX is not adhering to the 2014 Record of Decision and their presence has also created new and unforeseen problems.

SpaceX is not being properly governed by government agencies at the local, state or federal level. The associated problems are many. Here are a few issues that should be immediately addressed.

1. Permits.
Apparently SpaceX needs no permits. None were sought for new construction or remodeling of the houses, thus no oversight of any kind. No permits were ever displayed on the houses or commercial buildings within the Village as they were being built or remodeled.

In a normal setting a permit is prominently displayed on the front of a house throughout the duration of the construction. I cannot speak to whether permits were issued for the commercial buildings, but it seems as if none were obtained. A separate stand alone sign indicating particulars about the work being performed normally is, and should have been, displayed. Thus SpaceX employees are working in potentially unsafe environments as no permitting likely means no inspections were performed.

Aren't there requirements for SpaceX to follow state and local laws?

2. Parking.
No monitoring of parking on Highway 4. Hundreds of SpaceX employees regularly park on the shoulder of a state highway. This is dangerous and unacceptable. It's a huge accident waiting to happen.

If a car traveling west along the highway lost control and veered into oncoming traffic traveling east, the eastbound car would have nowhere to go but into the hundreds of cars taking up the shoulder of the roadway in its entirety.

Where is DPS in this? TXDOT? The Cameron County Sheriff's department?

SpaceX knows enough to build rockets, yet not enough to build a parking structure? This is a huge safety issue for anyone that travels that stretch of Highway 4.

3. Traffic.
Traffic is not being monitored. We are losing significant wildlife on a regular basis due to cars and huge trucks traveling at high rates of speed totally unimpeded. The 55 mph sign is utterly meaningless as no one is policing the highway.

Tragically a man's life was cut short as a direct result of SpaceX's negligence. He died from injuries sustained in a completely preventable accident which occurred in the early morning hours of Sunday, June 7, 2020.

Apparently, a subcontractor hired by SpaceX was obstructing Highway 4 near the entrance to Boca Chica Village with a trailer of some kind. No one, not the subcontractor nor SpaceX, took any responsibility for lighting the roadway, nor setting up cones, nor using flaggers or anything to alert motorists of any potential danger. This is a dark stretch of highway, on a curve.

In addition, most businesses do not operate on the 24 hour timetable that SpaceX does, thus the average person would not be expecting a blockade on a state highway in the middle of a dark night. Doing what exactly? Nothing important enough that anyone should have lost their life for it.

If the subcontractor did not have a safety plan in place, which should be an essential requirement, the responsibility for the lack of a safety plan should fall squarely on SpaceX's shoulders.

A safety plan should be created and implemented to insure that this NEVER happens again.

4. Closures.
The 2014 ROD set out that the maximum number of hours for state Highway 4 and Boca Chica beach to be closed for any given year was not to exceed 180 hours.

However, in May 2020 alone, the closure number totalled 122 hours. The total number of closure days was 15, many of which were 12 hour closures during the peak hours of the day, for example 6am to 6pm or 9am to 9pm.

This project was green lighted because SpaceX downplayed the amount of time they would ask for closures within a year. They initially said 12 launches a year. 180 hours divided by 12 works out to 15 hours a month. That is an amount most people could live with. However, 15 days of closures in a one month period is outrageous. The closure issue must be revisited.

Another part of the problem is the way the closure notices are conveyed to the Boca Chica Village residents and to the public at large. There is a major communication breakdown and not enough attention is spent on communicating closures in a timely manner. Or communicating changes regarding a planned closure.

SpaceX should have a designated representative in charge of the lighted message board on Highway 4. A Cameron County official might post a message on a Friday announcing a closure to occur Saturday or Sunday. Testing gets delayed and nothing changes on the sign. The general public is led to believe the beach is closed when it isn't. The actual closures are bad enough, however the times when the sign says the beach is closed when it isn't, is far worse.

The online notices that Cameron County posts are also problematic. That issue is being addressed by other individuals.

The SpaceX notices are also not clear. They look as if someone, some unknown third party, created them. SpaceX should make it clear, on every single notice, what entity is generating the notice, and where to go with questions or concerns.

On a personal note, SpaceX seemed to deliberately deliver the notices to our homes quite late at night or extraordinarily early in the morning. I received notices as late as 10pm and as early as 6am.

It felt like an aggressive action intended to intimidate us. SpaceX obviously did not, just in that moment, decide on the closure times. Texas Parks and Wildlife, the Texas GLO, USFWS and other agencies were notified ahead of time. Everyone, the Boca Chica Village people, along with the general public and all of the various agencies should be notified at the same time.

This is an enormous problem. These closures affect more people than you can possibly imagine. Besides all the hundreds of individuals being regularly banned from Boca Chica proper or the South Bay, fishermen in Port Isabel and South Padre Island cannot fish in certain waters. Scientists cannot conduct their research. This problem absolutely must be addressed. There is no transparency. These issues are affecting public roadways, lands, waters and people's lives.

And because Cameron County, as an entity, operates within a Monday to Friday, 8 to 5 world, the responsibility to monitor the signage should rest completely with SpaceX as they conduct their business 24/7.

5. Lighting.
The lighting at the construction site and launch site is set up with only the on-site workers in mind. There is no consideration given to the fact that their lights practically blind passing motorists. Highway 4 is a state highway, not a private road. Great care should be taken to make sure that the lighting is directed downward, not outward, or somehow otherwise contained. OSHA has strict regulations regarding lighting and illumination. Yet no one is monitoring this situation.

The environmental impacts of the lighting on wildlife needs to be addressed as well. The too bright lighting is disruptive in ways that are being addressed in other comments being submitted.

6. Legal/Constitutional Issues.
Our constitutional rights are being violated in a number of ways.

The Texas House Bill that was passed in 2013, HB 2623, that supposedly gave SpaceX the authority to close a public beach, was not placed on the ballot and was not voted on, thus it in no way amended the Texas Constitution. Whereas. the Texas Open Beaches Act did become part of the Texas Constitution in 2009 via a Constitutional Amendment that Texans overwhelmingly approved (77 percent of the people voted for it) and it was added into the Texas Constitution under Article I, The Bill of Rights.

That amendment intended to protect citizen's unrestricted access to our beaches. HB 2623 in no way undid or overrode this constitutional amendment. Yet somehow our collective access is being denied on a regular basis.

In addition, our US Constitutional rights are being violated. US citizens have the right to travel about freely. This right is being restricted on a regular basis. A person within the United States should not have to show identification in order to travel to their own home on a state highway because of a private entity doing business in the area.

What is happening at Boca Chica is both unprecedented and unconstitutional. And the FAA is a party to it. The FAA, in approving licenses and advancing SpaceX's current and future plans, is playing a role in violating our civil rights on a grand scale.

Respectfully submitted,

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